

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 DAVID ALAN COHEN,

8 Defendant.  
9

Case No. 2:17-cr-0114-APG-CWH

**ORDER DENYING MOTION TO  
SUPPRESS CRIMINAL HISTORY**

(ECF No. 57)

10 Defendant David Alan Cohen filed a motion to preclude the Government “from using any  
11 arrests or convictions that the defendant committed or was accused of, if this particular events (sic)  
12 happened more than 15 years ago.” ECF No. 57 at 1. The Government responded that it will follow  
13 the Federal Rules of Evidence, and it has not decided to offer such evidence. ECF No. 68.

14 Mr. Cohen’s motion is premature. There is no indication at this time that the Government  
15 intends to introduce any such evidence. Should the Government seek to admit such evidence, Mr.  
16 Cohen could object at that time. And, there may be legitimate reasons to allow the admission of  
17 such evidence (e.g., Rules 404(b)(2) or 609). To the extent Mr. Cohen’s motion requests to redact  
18 information from the “Federal Complaint” (*see* ECF No. 90), that request is denied without  
19 prejudice to reassert it should the Government seek to introduce the complaint at trial.

20 Accordingly, Cohen’s motion (**ECF No. 57**) is **DENIED without prejudice**.

21 Dated: October 24, 2017.

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23 ANDREW P. GORDON  
24 UNITED STATES DISTRICT JUDGE  
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